

STATE OF NEW YORK

7197

2023-2024 Regular Sessions

IN SENATE

May 18, 2023

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the social services law, in relation to enacting the HOPE pilot program; and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The social services law is amended by adding a new section
2 98 to read as follows:

3 § 98. HOPE pilot program. 1. As used in this section the following
4 terms shall have the following meanings:

5 a. "Commissioners" means the commissioner of the office of temporary
6 and disability assistance and the commissioner of health, acting colla-
7 boratively.

8 b. "Eligible pilot community" means a unit of general purpose local
9 government, Indian tribal organization, or an entity that represents a
10 smaller geographical area therein including but not limited to a neigh-
11 borhood.

12 c. "Target population" means and includes any individual or household
13 that:

14 (i) their income is below two hundred percent of the federal poverty
15 level;

16 (ii) suffers from food insecurity;

17 (iii) earns insufficient income to ensure food security or economic
18 security;

19 (iv) lives in a rural, suburban or urban community that suffers from
20 poverty, hunger or food insecurity;

21 (v) is homeless;

22 (vi) receives assistance from a state program funded under title IV-A
23 of the federal social security act, relating to temporary assistance to
24 needy families;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (vii) is eligible for benefits under any federal or state nutrition
2 assistance program or federal or state antipoverty program; or
3 (viii) is formerly a youth in transition from foster care or the juve-
4 nile detention facilities.

5 d. "Partner not-for-profit organization" means any national, regional,
6 state, or local not-for-profit organization described in section
7 501(c)(3) of the United States Internal Revenue Code which has tax
8 exempt status under section 501(a) of such code.

9 e. "Unit of general purpose local government" means any city, county,
10 town, municipality, or other political subdivision of the state, or any
11 combination thereof, which has a building code or similar authority over
12 a particular geographic area of the state.

13 2. a. The commissioners shall allow eligible entities that apply to
14 such commissioners to carry out health, opportunity, and personal empow-
15 erment ("HOPE") accounts pilot projects to enable target populations of
16 individuals to establish through banks, credit unions, and any govern-
17 mental or Indian tribal organizations, HOPE accounts that enable such
18 individuals to:

19 (i) have their paychecks deposited directly in such accounts;

20 (ii) use such accounts to increase savings that would be matched with
21 funds provided by government and private sources, including individual
22 development accounts;

23 (iii) use an account mobile application on a smart phone to easily
24 locate and sign up for job training and placement services online;

25 (iv) enable such individuals to use any smart phone, tablet or comput-
26 er to:

27 (A) to learn about the public and philanthropic programs that provide
28 benefits to such individuals, including aid to improve health, nutri-
29 tion, job training and placement, housing, and income;

30 (B) to receive federal and state tax credits; and

31 (C) to apply for, submit eligibility documents for, enroll in, and
32 manage the use of such benefits at once through the convenience of their
33 device if individuals or their households are eligible for one or more
34 of such benefits;

35 (v) to receive a basic smart phone, tablet, or computer, along with a
36 subsidized internet wi-fi access plan, if such individuals do not own a
37 smart phone, tablet or computer;

38 (vi) to obtain the access and information described in subparagraph
39 (iv) of this paragraph with assistance at libraries, government offices,
40 or not-for-profit agencies if such individuals are uncomfortable using
41 internet technology themselves;

42 (vii) to obtain access to the information described in subparagraph
43 (iv) of this paragraph, with the assistance of government or not-for-
44 profit employees, AmeriCorps national service participants, or Senior
45 Corps members, to receive home visits if such individuals are elderly or
46 disabled;

47 (viii) to access health care information that specifies medical bene-
48 fits, and any out-of-pocket costs, for each of the health plans for
49 which such individuals may be eligible, and to empower such individuals
50 to easily select the plan that works best for them;

51 (ix) to enable such individuals to file directly, and without expend-
52 ing funds to obtain third-party tax filing services, to obtain federal
53 tax credits and refunds, and with the state and localities with their
54 own supplemental tax credits, to simultaneously file for credits and
55 refunds;

1 (x) to deposit cash in the account that is set aside for education,
2 job training, starting a business, or buying a home and that would be
3 nontaxable;

4 (xi) to easily access and monitor, in one central online account to:

5 (A) to be able to check the status, amounts, and recertification dead-
6 lines for some or all their benefits and savings; and

7 (B) to pay all bills online, saving high check cashing fees and enor-
8 mous amounts of time;

9 (xii) to budget resources by using real-time cash flow data and long-
10 term financial planning data, including calculating how much such indi-
11 viduals would lose in interest on credit cards versus how much such
12 individuals would gain in interest by saving more;

13 (xiii) to access calendar and scheduling functions that enable indi-
14 viduals to keep track of all job search, work, family, and school obli-
15 gations, as well as any social service filing or appointment dates;

16 (xiv) to be protected by security and privacy systems so that only
17 such individuals, and not the government, not-for-profit organizations,
18 or banking partners, would be able to see or track private financial and
19 appointment information; and

20 (xv) notwithstanding other provisions of law, to allow program appli-
21 cants to easily and clearly authorize their sharing of personal and
22 financial information with multiple government agencies, solely for the
23 purpose of those government agencies enabling the individuals to apply
24 for and utilize government benefits.

25 b. Pilot projects authorized by paragraph a of this subdivision shall
26 be carried out for a one year period in each of the fiscal years two
27 thousand twenty-four through two thousand twenty-seven.

28 3. a. The commissioners shall allow eligible entities that apply to
29 such commissioners to carry out HOPE action plans pilot projects to
30 enable target populations of individuals to partner with government and
31 not-for-profit organizations by entering into voluntary agreements to
32 carry out long-term HOPE action plans that:

33 (i) specify exactly how the parties to such plans will help such indi-
34 viduals and their families earn, learn, and save better in order to
35 ensure greater economic opportunity for themselves and their children by
36 working together in a long-term, positive relationship for the purpose
37 of ensuring upward mobility;

38 (ii) are designed to empower such individuals and their families to
39 better organize their time and focus their activities on productive
40 endeavors while providing them extra resources to do so;

41 (iii) may be:

42 (A) short-term, conducted over a year or two years and aimed at help-
43 ing families achieve very basic goals, such as avoiding homelessness and
44 hunger; or

45 (B) long-term with far more ambitious goals for upward mobility; and

46 (iv) would require that participating individuals and families,
47 government entities, and not-for-profit partners have equal rights to
48 hold each other accountable for plan outcomes and funding.

49 b. Pilot projects authorized by paragraph a of this subdivision shall
50 be carried out for a one year period in each of the fiscal years two
51 thousand twenty-four through two thousand twenty-seven.

52 4. a. The commissioners shall each create grant application processes
53 to competitively make grants to eligible entities to aid target popu-
54 lations. To be eligible to receive a grant for a fiscal year under this
55 section, eligible entities shall submit to the appropriate commissioner
56 an application that contains a description of how the applicant proposes

1 to use the grant funds to implement the components of the pilot projects
2 authorized by this section. Applications shall be submitted in such
3 form, at such time, and containing such other information as the commis-
4 sioners may require.

5 b. If one of the commissioners finds it appropriate, that commissioner
6 may use cooperative agreements for purposes of making grants under this
7 section.

8 c. Grants made under this section shall range in amounts from two
9 hundred fifty thousand dollars to three million dollars, and should be
10 proportionate to the geographical size, project complexity, and number
11 of individuals participating in each project. Eligible entities may
12 receive grants made under this section by two or more of the commis-
13 sioners. To the extent funds are available, each commissioner shall make no
14 fewer than eight such grants annually.

15 d. To the extent practicable, the commissioners shall make grants for
16 pilot projects that operate statewide, as well as pilot projects
17 designed to serve specific rural, urban, and suburban areas. To the
18 extent practicable, pilot projects for which grants are made shall be
19 distributed among diverse administrative regions by the office of tempo-
20 rary and disability assistance and the department of health.

21 e. For purposes of making grants under this section, preference shall
22 be given for pilot projects that:

23 (i) serve individuals in historically underserved, high-poverty, rural
24 or urban communities;

25 (ii) simultaneously test both HOPE accounts and HOPE action plans;

26 (iii) involve low-income individuals as equal partners in project
27 planning and implementation;

28 (iv) make additional funds available directly to low-income households
29 through action plans, either through government payments or through
30 not-for-profit organization subgrantees;

31 (v) are matched by considerable non-state funds without penalizing
32 very-low income, underserved rural and urban communities that cannot
33 provide non-state matching funds;

34 (vi) propose concrete plans for long-term sustainability and expan-
35 sions without future federal or state grant funds;

36 (vii) assist low-income households to apply for the federal earned
37 income tax credits and state tax credits;

38 (viii) provide resources in both English and additional languages
39 commonly spoken in the applicable area;

40 (ix) prioritize client-facing, fully tested technology and mobile
41 device applications;

42 (x) include a robust monitoring and evaluation planning and reporting
43 plan, including proposed staffing and reporting for that plan, including
44 reporting on the extent to which the pilot makes it easier, quicker, and
45 less costly for low-income individuals to access a variety of benefits,
46 the extent to which the pilot will save administrative funds over the
47 long-run, the extent to which the accuracy and integrity of the benefits
48 programs included are maintained or improved, and the extent to which
49 low-income households are able to more easily obtain free or low-cost
50 banking services;

51 (xi) subcontract part of the pilot project implementation work to
52 United States-based private businesses, banks, savings and loans, credit
53 unions, co-ops and not-for-profit organizations described in section
54 501(c)(3) of the United States Internal Revenue Code which has tax
55 exempt status under section 501(a) of such code with relevant, success-
56 ful experience in similar or related project activities;

1 (xii) incorporate a benefits calculator to enable applicants to learn
2 how the receipt of some benefits might or might not impact whether they
3 are eligible for other benefits and might impact the amount of those
4 other benefits for which they are eligible;

5 (xiii) include planning and funding for the pilot entities to train
6 their staffs and clients to utilize the new technologies;

7 (xiv) in rural and other areas without strong broad-band service,
8 integrate activities under the grant with other activities to strengthen
9 local broad-band service;

10 (xv) enable low-income individuals to obtain free or reduced-price
11 smart phones and free or reduced-price data services;

12 (xvi) ensure that individuals without personal smart phone, tablet, or
13 computer access are able to benefit from the systems and technological
14 improvements in the pilot projects at public locations such as public
15 libraries, community centers, and social services offices;

16 (xvii) propose a detailed, workable plan to thoroughly beta test and
17 field test any new technologies or systems in the pilot project before
18 making such technologies or systems available to all households, indi-
19 viduals, or the entire pilot area; and

20 (xviii) identify the applicable federal, state, local, or Indian tribe
21 statutory and regulatory authorities, including waiver authorities, to
22 be potentially leveraged to most effectively implement the proposed
23 pilot project.

24 5. a. The commissioner of health, in consultation with the commission-
25 er for the office of temporary and disability assistance, shall hold a
26 merit-based competition to award HOPE technology innovation contracts to
27 state based private businesses and not-for-profit organizations
28 described in section 501(c)(3) of the United States Internal Revenue
29 Code which has tax exempt status under section 501(a) of such code with
30 relevant, successful experience in technology, to create technology,
31 including mobile applications, widgets, and templates that pilot enti-
32 ties can use to create HOPE accounts.

33 b. The commissioner of health shall award no more than ten and no
34 fewer than two such contracts each fiscal year.

35 c. Such contracts may range in size from two hundred thousand dollars
36 to four million five hundred thousand dollars.

37 d. All technologies developed with funding provided under this subdivi-
38 sion shall be open-sourced and available to the public for free.

39 e. No contractor shall have access to any client or household data
40 through a project under this section, unless such contractor is a
41 contractor or subgrantee for a pilot entity, in which case such contrac-
42 tor may have limited, functional access to such data. In no case shall a
43 contractor share or sell client or household data.

44 f. In making awards under this subdivision, the commissioner of health
45 shall give preference to applicants that ensure the following with
46 respect to the applicable technology:

47 (i) client-facing technology with top preferences mobile device appli-
48 cations and uses and secondary preferences to tablet and computer and
49 texting uses;

50 (ii) incorporate fail-safe systems to maintain the privacy and securi-
51 ty of data;

52 (iii) are easily adaptable at the lowest possible financial costs with
53 the least possible staff time by pilot entities and other state, county,
54 city, municipal, and Indian tribal governments in a manner that can
55 easily be utilized by low-income individuals; and

56 (iv) build in the ability to be easily updated as technologies evolve.

1 6. None of the pilot projects carried out under this section shall do
2 any of the following:

3 a. Decrease the overall monetary value of federal, state, local or
4 Indian tribe government funding assistance given to any individual or
5 family, although all entities involved could independently, or jointly,
6 increase funding under such projects.

7 b. Decrease the overall federal, state, local or Indian tribe govern-
8 ment funding for antipoverty programs spent by participating pilot
9 communities and agencies, although all entities involved may independ-
10 ently, or jointly, increase funding.

11 c. Lengthen the amount of time or increase the requirements necessary
12 to receive any government benefits, or in any way make it more difficult
13 to obtain any form of government assistance.

14 d. Limit the legal rights of anyone in the target populations to
15 receive government or not-for-profit organization assistance.

16 e. Decrease overall public sector employment in any eligible pilot
17 community, but public employees may be transferred at similar or higher
18 salaries and pay grades from positions that oversee paperwork to posi-
19 tions that provide direct services to the public, assuming such trans-
20 fers do not violate collective bargaining agreements or their other
21 rights as public employees.

22 f. Decrease or increase work requirements for existing government
23 programs.

24 g. Reduce program integrity measures or increase the possibility of
25 fraud in any government program.

26 h. Track or monitor the physical location or immigration status of
27 immigrants, be used for any immigration enforcement activity against any
28 individuals, or be used to provide any data whatsoever to agencies
29 involved in immigration enforcement activities or policy.

30 i. Enable any pilot entity or contractor, subcontractor or partner of
31 any pilot entity to share or sell client or household data obtained
32 through those projects.

33 j. Eliminate the existing ability of applicants to apply for, recerti-
34 fy, or manage government benefits by physically visiting a government
35 office.

36 7. a. No later than September thirtieth of each of the fiscal years
37 two thousand twenty-four through two thousand twenty-eight, the commis-
38 sioners shall submit to the governor, the temporary president of the
39 senate and the speaker of the assembly, a report on the results of all
40 the pilot projects created pursuant to this section.

41 b. Each report submitted pursuant to paragraph a of this subdivision
42 shall include detailed data on the extent to which the pilot project
43 makes it easier, quicker, and less costly for low-income individuals to
44 access a variety of benefits, the extent to which the pilot project will
45 save administrative funds over the long-term, the extent to which the
46 accuracy and integrity of the benefits programs included are maintained
47 or improved, and the extent to which low-income households are able to
48 more easily obtain free or low-cost banking services.

49 § 2. The sum of forty-nine million dollars (\$49,000,000), or so much
50 thereof as may be necessary, is hereby appropriated for each of the
51 fiscal years 2024 through 2027 out of any moneys in the state treasury
52 in the general fund to the credit of the local assistance account, not
53 otherwise appropriated, and made immediately available, for the purpose
54 of carrying out the provisions of this act as follows:

55 (i) The sum of ten million dollars (\$10,000,000) shall be appropriated
56 to the commissioner of the office of temporary and disability assist-

1 ance, of which five hundred thousand dollars (\$500,000) shall be used
2 internally by the office of temporary and disability assistance for
3 staff and other expenses to plan, award, and oversee pilot projects
4 under this act and nine million five hundred thousand dollars
5 (\$9,500,000) shall be available for grants under section one of this
6 act;

7 (ii) The sum of fifteen million dollars (\$15,000,000) to the commis-
8 sioner of health, of which five hundred thousand dollars (\$500,000)
9 shall be used internally by the department of health for staff and other
10 expenses to plan, award, and oversee pilot projects under this act and
11 nine million five hundred thousand dollars (\$9,500,000) shall be avail-
12 able for grants under section one of this act.

13 (iii) Of the amount appropriated for a fiscal year to carry out this
14 act, at least 10 percent shall be allocated to provide assistance in
15 persistent poverty counties. For purposes of this section, the term
16 "persistent poverty counties" means any county that has had 20 percent
17 or more of its population living in poverty over the past 30 years, as
18 measured by the 1990, 2000, and 2010 decennial censuses.

19 Such moneys shall be payable on the audit and warrant of the comp-
20 troller on vouchers certified or approved by the commissioner of the
21 office of temporary and disability assistance or the commissioner of
22 health, as necessary and in the manner prescribed by law.

23 § 3. This act shall take effect on the one hundred twentieth day after
24 it shall have become a law. Effective immediately, the addition, amend-
25 ment and/or repeal of any rule or regulation necessary for the implemen-
26 tation of this act on its effective date are authorized to be made and
27 completed on or before such effective date.